

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 18, 1998**

Court convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Wallin, J., Crosby, J., Bedsworth, J. J. McElroy, Deputy Clerk attending.

Civil	Estate of Herbert S
No.	vs.
G018713	Federal Deposit Insurance Corporation

Merits. Cause called. Maria Beatrice Valdez argues for appellant. Gary A. Waldron argues for respondent. Cause submitted.

Civil	E. O. Rodeffer
No.	vs.
G018353	Daniel Lekich

Merits. Cause called. Richard W. Millar argues for appellant. Ronald Rus argues for respondent. Cause submitted.

Civil	Jayme Hart
No.	vs.
G017750	Business Park Ventures I

Merits. Cause called. Lloyd E. Wright argues for appellant. Daniel T. Rudderow argues for respondent. Cause submitted.

Civil	Andrea Brone
No.	vs.
G018220	Roman Matuszewski
G020222	

Merits. Cause called. Paula J. Manning argues for appellant. Thomas G. Chambers argues for respondent. Cause submitted.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION THREE, SANTA ANA, May 18, 1998 (Cont'd)

Civil Faith D. Schreiber
No. vs.
G018084 Estate of Donald Wayne Kiser

Merits. Cause called. Brian D. Chase argues for appellant. Steven G. Winder argues for respondent. Cause submitted.

Civil Eugene C. Gratz
No. vs.
G017680 Gail P. Smith

Merits. Cause called. Donna Bader argues for appellant. During appellant's oral argument, appellant stated that there was a bankruptcy proceeding and stay. At that point the court stopped argument. Case to be continued to the August oral argument calendar if parties submit an order from the bankruptcy court showing relief from stay. Otherwise case will be held in abeyance pending bankruptcy proceedings. Franics T. Sakamaki present for respondent, but presented no argument.

Civil Advanced Compression Technology, Inc.
No. vs.
G017627 Frame Relay Technologies

Drozd Merits. Cause called. John S. Baker argues for appellant. Donald L. argues for respondent. Cause submitted

Civil Richard S. Blassberg
No. vs.
G017752 Frederick F. Wolfe

Merits. Cause called. C. William Kircher argues for appellant. Rick Edwards argues for respondent. Cause submitted.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 18, 1998 (Cont'd)**

Civil Anthony Maglica
No. vs.
G016463 Claire Maglica

Merits. Cause called. Peter W. Davis argues for appellant. John W. Keker argues for respondent. Cause submitted.

Court declared a recess.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 19, 1998**

Court re-convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Wallin, J., Crosby, J., Sonenshine, J. J. McElroy, Deputy Clerk attending.

Crim	The People
No.	vs.
G020895	Robert O'Neil Dick

Merits. Cause called. Counsel Jerry D. Whatley and Craig Nelson, Deputy Attorney General waive oral argument prior to court taking the bench. Cause submitted.

Crim	The People
No.	vs.
G020241	Jose Alfredo Leyva

Merits. Cause called. Stephen M. Lathrop argues for appellant. Raquel Gonzalez, Deputy Attorney General argues for respondent. Cause submitted.

Crim	The People
No.	vs.
G020280	Thuan Van Nguyen et al.

Merits. Cause called. Patricia Ihara argues for appellant Thanh Van Le. Counsel for all other appellants waived by letter prior to oral argument. Matthew Mulford, Deputy Attorney General argues for respondent. Cause submitted.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 19, 1998 (Cont'd)**

Crim The People
No. vs.
G020701 Joel Soto Ayon et al.

Merits. Cause called. Richard L. Schwartzberg argues for appellant, Joel Soto Ayon. Cheryl Geyerman argues for appellant Erick S. Elizabeth Voochries, Deputy Attorney General argues for respondent. Cause submitted.

Crim The People
No. vs.
G020616 Ralph Gerald Milton

Merits. Cause called. Mark A. Hart argues for appellant. Janelle Bustany, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 19, 1998 (Cont'd)**

Crim The People
No. vs.
G020836 Gilbert Ray Carter et al.

Merits. Cause called. Michael Pear, Deputy District Attorney argues for the appellant. Stephen Gilbert argues for respondent, Christopher Booker. Cynthia Sorman argues for respondent, Gilbert Carter. Cause submitted.

Crim The People
No. vs.
G020377 Michael Noel Fluharty

Merits. Cause called. Leonard D. Basinger argues for appellant. Rick Clark, Deputy Attorney General argues for respondent. Cause submitted.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 19, 1998 (Cont'd)**

Crim The People
No. vs.
G020793 Terry Ramirez

Merits. Cause called. David M. Morse argues for appellant, Terry Ramirez. Scott Scoville, Deputy District Attorney argues for cross-appellant, The People. Robert foster, Deputy Attorney General argues for the respondent, The People. Cause submitted.

Crim The People
No. vs.
G017994 Salvador Beltran-Duarte
G022045

Merits. Cause called. Conrad Petermann argues for appellant. Rick Clark, Deputy Attorney General argues for respondent. Cause submitted.

Crim The People
No. vs.
G016974 Randy Robert Branson

Merits. Cause called. Terrence V. Scott argues for appellant. Nancy Palmieri, Deputy Attorney General argues for respondent. Cause submitted.

Crim The People
No. vs.
G021664 Vu Tran D.

Merits. Cause called. Kevin G. Little argues for appellant. Pat Zaharopoulos, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 19, 1998 (Cont'd)**

Crim No. G018681	The People vs. John Lamar Holmes	(Not for publication)
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Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Sonenshine, J.
Bedsworth, J.

Crim No. G021396	The People vs. Jimmy Pereyra	(Not for publication)
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Opinion filed. Judgment affirmed.

Crosby, Acting P.J.

We concur: Sonenshine, J.
Bedsworth, J.

Crim No. G022310	The People vs. Curtis Tullah Carpenter	(Not for publication)
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Opinion filed. Judgment affirmed.

Rylaarsdam, J.

We concur: Wallin, Acting P.J.
Bedsworth, J.

Crim No. G020875	The People vs. Danny Christopher Harris	(Not for publication)
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Opinion filed. Judgment affirmed.

Crosby, Acting P.J.

We concur: Sonenshine, J.
Bedsworth, J.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 19, 1998 (Cont'd)**

Crim No. G020124	The People vs. Danny Calvin Ruiz et al.	(Not for publication)
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Opinion filed. Judgment affirmed as modified.
Crosby, Acting P.J.

We concur: Sonenshine, J.
Bedsworth, J.

Civil No. G016541	Savant Construction, Inc. vs. Mark Smith	(Not for publication)
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Opinion filed. Judgment affirmed.
Crosby, Acting P.J.

We concur: Sonenshine, J.
Bedsworth, J.

Civil No. G016310	Howard J. Ross vs. Daniel M. Doke et al.	(Not for publication)
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Opinion filed. Judgment reversed.
Crosby, Acting P.J.

We concur: Sonenshine, J.
Bedsworth, J.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 20, 1998**

Court re-convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Wallin, J., Scoville, J.* J. McElroy, Deputy Clerk attending.

Civil	Patricia Filicicchia
No.	vs.
G019208	Don Hassett

Merits. Cause called. Michael J. Naughton argues for appellant. Donna Bader argues for respondent. Cause submitted.

Civil	Sharon Ford Bell
No.	vs.
G020480	Gene C. Lawrence

Merits. Cause called. Thomas M. Burton argues for appellant. Byron Mousmoules argues for respondent. Cause submitted.

Civil	Jeanne H. Tracy
No.	vs.
G019376	James P. Tracy

Merits. Cause called. Gerald J. Phillips argues for appellant. Dana Godfrey argues for respondent. Cause submitted.

Civil	Robert Roy Cone
No.	vs.
G018829	Patsy Marshall

Merits. Cause called. Frank J. Lozoya argues for appellant. Debra Schultz argues for respondent. Cause submitted.

Civil	Joyce Euredjian
No.	vs.
G018976	Campbell Saturn, Inc.

Merits. Cause called. Donald Barnett argues for appellant. Stephen P. Croce argues for respondent. Cause submitted.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 20, 1998 (Cont'd)**

Civil Atrick Lokeijak
No. vs.
G021517 Virginia Rose Patterson

Merits. Cause called. Nancy M. Critelli argues for appellant. Holly R. Paul argues for respondent. Cause submitted.

Civil Atrick Lokeijak
No. vs.
G01977 Peek/Signal Maintenance, Inc.

Merits. Cause called. Nancy M. Critelli argues for appellant. Timothy F. Rivers argues for respondent, Peek. David A. Niddrie argues for respondent, Superior Signal. Cause submitted.

Civil Atrick Lokeijak
No. vs.
G018434 City of Irvine

Merits. Cause called. Nancy M. Critelli argues for appellant. M. Lois Bobak argues for respondent. Cause submitted.

Court declared a recess.

Court re-convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Wallin, Acting P.J., Crosby, J., Sonenshine, J. J. McElroy, Deputy Clerk attending.

Civil Orange County Social Services Agency
No. vs.
G022101 Eduardo O.

Merits. Cause called. Sylvia L. Paoli argues for appellant. Amy E. Morgan, Deputy County Counsel argues for respondent. Craig Arthur argues for the minor. Cause submitted.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 20, 1998 (Cont'd)**

Civil Lynne Voight
No. vs.
G018324 Mary Beth Bewersdorf

Merits. Cause called. Paul W. Ralph argues for appellant. Margret Holm argues for respondent. Cause submitted.

Civil Juan Mendoza
No. vs.
G018017 Homestead Insurance Company

Merits. Cause called. Jack H. Anthony argues for appellant. Howard Wollitz argues for respondent. Cause submitted.

Civil Donald E. Reese
No. vs.
G017514 McBride Development Company

Merits. Cause called. Thomas F. Nixon argues for appellant. Gregory R. Gullstrand argues for respondent. Cause submitted.

Civil Richard E. Ferber
No. vs.
G018512 Sandra Plumleigh
G020890

Merits. Cause called. David C. Nelson argues for appellant. Charles E. Brumfield argues for respondent. Cause submitted.

Civil Department of Motor Vehicles
No. vs.
G015881 Dane Barber

Merits. Cause called. Barbara A. Noble, Deputy Attorney General argues for appellant. Marjorie Fuller argues for respondent. Cause submitted.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 20, 1998 (Cont'd)**

Civil Gary M. Leeds
No. vs.
G021855 Alpha Beta Company, Inc.

Merits. Cause called. Stuart M. Eppsteiner argues for appellant. Douglas W. Stern argues for respondent. Cause submitted.

Court declared a recess.

Civil Reyna Paine (Not for publication)
No. vs.
G018996 Ronald Paine

Opinion filed Judgment affirmed.

Wallin, J.

We concur: Sills, P.J.
Crosby, J.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 21, 1998**

Court convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Crosby, J., Sonenshine, J. J. McElroy, Deputy Clerk attending.

Civil Orange County Social Services Agency
No. vs.
G022852 Raymond G.

Merits. Cause called. Paul DeQuatro, Deputy Public Defender argues for he petitioner. Amy E. Morgan, Deputy County Counsel argues for Social Services agency. Craig Arthur argues for the minor. Cause submitted.

Civil Potjarin S. Viles
No. vs.
G018348 Lido Van Lines, Inc.

Merits. Cause called. Fred H. Middaugh argues for appellant. Larry A. Dunlap argues for respondent. Cause submitted.

Civil Dirk W. Brewer
No. vs.
G021874 Shirley Brewer

Merits. Cause called. Barbara J. Bailey argues for appellant. Harward A. Stearns argues for respondent. Cause submitted.

Civil Vista Paseo Phase II
No. vs.
G018321 Ce Mar Perris II

Merits. Cause called. David A. Darrin argues for appellant. Frederick E. Turner argues for respondent. Cause submitted.

**COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION THREE, SANTA ANA, May 21, 1998 (Cont'd)**

Civil Suzanne Florence
No. vs.
G018193 Laurence Kutinsky

Merits. Cause called at the end of the calendar at approximately 2:00 p.m. No appearance by appellant. Michael J. Grobaty argues for respondent. Cause submitted.

Court declared a recess.

Crim The People (Not for publication)
No. vs.
G020921 Herman Clifford Smith

Opinion filed. Judgment affirmed.

Crosby, J.

We concur: Sills, P.J.
Sonenshine, J.

Crim No. G020241 The People vs. Jose Alfredo Leyva (Not for publication)

Opinion filed. Judgment affirmed as modified.
Crosby, J.

We concur: Sills, P.J.
Sonenshine, J.

Crim In re Jason Schermerhorn (Not for publication)
No. on Habeas Corpus
G023296

Opinion filed. Writ granted.

Crosby, J.

We concur: Wallin, Acting P.J.
Sonenshine, J.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION THREE, SANTA ANA, May 21, 1998 (Cont'd)

Civil	Randi R.	(Certified for publication)
No.	vs.	
G022886	Superior Court; Social Services Agency	

Opinion filed. Writ denied.

Sills, P.J.

We concur: Wallin, J.
Bedsworth, J.